



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Shepherd, et al.

Serial No.: 313,911

Filed: February 23, 1989

For: Method and Apparatus for
Direct Measurement of
Hemoglobin Species in
Whole Blood

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Examiner: Unknown

Group Art Unit: Unknown

Atty. Docket: UTSK:097/BAH

ELECTION UNDER RULE 32
AND POWER OF ATTORNEY

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment as set forth below, hereby elects, under Rule 32 of the Rules of Practice in Patent Cases (37 C.F.R. § 1.32), to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints Louis T. Pirkey, Reg. No. 22,393; Floyd R. Nation, Reg. No. 27,580; Willem G. Schuurman, Reg. No. 29,998; J. Paul Williamson, Reg. No. 29,600; Daniel S. Hodgins, Reg. No. 31,026; David L. Parker, Reg. No. 32,165; and David D. Bahler, Reg. No. 30,932, as its attorneys, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Letters Patent.

Please direct all communications as follows:

David D. Bahler, Esq.
ARNOLD WHITE & DURKEE
P. O. Box 4433
Houston, Texas 77210
(512) 320-7200

Board of Regents, The
ASSIGNEE: University of Texas System

By: Hans Mark
Name: Hans Mark

Title: Chancellor

Date: March 22, 1989



FILE NO. UTSK:097

PATENT

D E C L A R A T I O N

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Method and Apparatus of Direct Measurement of Hemoglobin Species in Whole Blood.

the specification of which:

☐ is attached hereto.

☒ was filed on February 23, 1989, as Application Serial No. 313,911.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Priority
Claimed

(Number)	(Country)	(Date Filed)	Yes/No
(Number)	(Country)	(Date Filed)	Yes/No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a), regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)

I hereby direct that all correspondence and telephone calls be addressed to David D. Bahler, /Arnold, White & Durkee, P.O. Box 4433, Houston, Texas 77210 (512) 320-7200.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

43120
Inventor's Full Name: A. P. Shepherd
(First) (Initial) (Last)
Inventor's Signature: A.P. Shepherd Date: 3/17/89
Country of Residence: U.S.A. Citizenship: U.S.
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San Antonio, Texas 78255-1210 TX
Post Office Address: Same

1127
Inventor's Full Name: John M. Steinke
(First) (Initial) (Last)
Inventor's Signature: John M. Steinke Date: 3/17/89
Country of Residence: U.S.A. Citizenship: U.S.
Residence: 12415 Los Campos
San Antonio, Texas 78233 TX
Post Office Address: Same



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DECLARATION CLAIMING SMALL ENTITY STATUS
37 C.F.R. §§1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on
behalf of the nonprofit organization identified below:

Name of Organization: Board of Regents,
The University of Texas System

Address of Organization: 201 West Seventh Street
Austin, Texas 78701

The type of organization is a university.

I hereby declare that the organization identified above
qualifies as a nonprofit organization as defined in 37 C.F.R.
§ 1.9(e) (1), and thus is a "small entity" as defined in § 1.9(f),
for purposes of paying reduced fees under Sections 41(a) and (b)
of Title 35, United States Code, with regard to the above-
referenced application.

I hereby declare that exclusive rights to the invention have
been conveyed to and remain with the organization, or will be so
conveyed pursuant to an existing obligation, with respect to the
above-referenced invention, with the exception that the Government
may have rights in the invention pursuant to a funding agreement
under 35 U.S.C. § 202(c)(4): None

I acknowledge the duty to file, in this application or
patent, notification of any change in status resulting in loss of
entitlement to small entity status prior to paying, or at the time
of paying, the earliest of the issue fee or any maintenance fee
due after the date on which status as a small entity is no longer
appropriate.

I hereby declare that all statements made herein of my own
knowledge are true and that all statements made on information and
belief are believed to be true; and further that these statements
were made with the knowledge that willful false statements and the
like so made are punishable by fine or imprisonment, or both,
under Section 1001 of Title 18 of the United States Code.

such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

BOARD OF REGENTS,
THE UNIVERSITY OF TEXAS SYSTEM

By: Hans Mark
Hans Mark, Chancellor

Date: March 22, 1989